

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

TREMONT REALTY CAPITAL, INC.,)
Plaintiff,)
v.)
PINNACLE GROUP, LLC, ADAMS)
CANYON RANCH, LLC, JOHN LANG,)
and MICHAEL GRADY,)
Defendants.)

DOCKET NO. 04-11853-RGS

AFFIDAVIT OF ARMANDO J. ACOSTA

I, Armando J. Acosta, hereby depose and testify as follows:

1. I am an attorney at law at the law firm of Clark, Hunt & Embry in Cambridge, Massachusetts. Clark, Hunt & Embry represents the above-named defendants, Pinnacle Development Group-Santa Paula, LLC, Adams Canyon Ranch, LLC, John Lang, and Michael Grady. In this capacity, I am familiar with the facts I am about to aver.

2. On or about September 30, 2004, I went on the Internet and visited the plaintiff's website at <http://www.tremontcapital.arvintech.com>.

3. On or about September 30, 2004, I printed out a mini-biography of Russell Posorske, as posted on the plaintiff's website under "key personnel." Attached to this Affidavit, as Exhibit 1, is a true and accurate copy of Mr. Posorske's mini-biography, as posted on the plaintiff's website.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 28th DAY OF JANUARY, 2005.

/s/ Armando Acosta

Armando J. Acosta
B.B.O. No. 648242